

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. LA CV13-08418 JAK (RZx)

Date March 6, 2017

Title CH2O Inc v. Meras Engineering, Inc.

Present: The Honorable JOHN A. KRONSTADT, UNITED STATES DISTRICT JUDGE

Andrea Keifer

Alex Joko

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Christopher S. Marchese

Michael K. Friedland

Andrew R. Kopsidas

Paul A. Stewart

Joanna M. Fuller

C. Kevin Speirs

Oliver J. Richards

Kristine E. Johnson

Proceedings: DEFENDANTS' MOTION FOR JUDGMENT AS A MATTER OF LAW (DKT. 471)

DEFENDANTS' MOTION FOR A NEW TRIAL ON DAMAGES OR REMITTITUR (DKT. 473)

DEFENDANTS' MOTION FOR A NEW TRIAL ON INFRINGEMENT (DKT. 475)

DEFENDANTS' MOTION TO AMEND THE JUDGMENT AND RELIEVE HNL HOLDINGS, LTD. AND HOUWELING'S NURSERIES, LTD. FROM LIABILITY (DKT. 478)

PLAINTIFF'S MOTION FOR PERMANENT INJUNCTION (DKT. 481)

PLAINTIFF'S MOTION FOR ENHANCED DAMAGES (DKT. 482)

PLAINTIFF'S MOTION FOR PREJUDGMENT INTEREST AND SUPPLEMENTAL DAMAGES (DKT. 480)

PLAINTIFF'S MOTION FOR JUDGMENT AS A MATTER OF LAW IN PLAINTIFF'S FAVOR ON DEFENDANTS' DEFENSES OF PATENT INVALIDITY DUE TO ANTICIPATION AND OBVIOUSNESS (DKT. 470)

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The motion hearing is held. The Court states its tentative views as to Defendants' motions and is inclined to: (i) deny the Motion for Judgment as a Matter of Law; (ii) deny the Motion for a New Trial on Infringement; (iii) grant in part the Motion to Amend the Judgment and Relieve HNL Holdings, Ltd. and Houweling's Nurseries, Ltd. from Liability; and (iv) defer ruling on the motion for a New Trial on Damages or Remittitur until additional argument is presented.

The Court states its tentative views as to Plaintiff's motions and is inclined to: (v) deny the Motion for Enhanced Damages; (vi) grant in part the Motion for Permanent Injunction; (vii) grant the Motion for Judgment as a Matter of Law in Plaintiff's Favor on Defendants' Defenses of Patent Invalidity Due to Anticipation and Obviousness; and (viii) defer ruling on the Motion for Prejudgment Interest and Supplemental Damages until additional argument is presented.

Counsel present oral argument. The foregoing Motions are taken UNDER SUBMISSION and a ruling will be issued.

Counsel report that they have participated in direct settlement discussions. Counsel agree that a further mediation session with a private neutral would be beneficial. Accordingly, the Court directs counsel to confer and file a joint report by March 8, 2017, which shall include whether: (i) all parties agree to a further mediation session; (ii) the name of the agreed upon private neutral or three nominees from each party to include a resume and hourly rate; and (iii) whether a ruling on all or some of the motions would be beneficial before or after the mediation.

IT IS SO ORDERED.

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